



Agricultural Land Commission
133-4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604-660-7000
Fax: 604-660-7033
www.alc.gov.bc.ca

March 16, 2006

Reply to the attention of Simone Rivers

Terrin and Karen Hatton
PO Box 69
Goodlow, B.C. V0C 1S0

Dear Mr. and Mrs. Hatton:

**Re: Application #W- 36292
North ½ of Section 36, Township 84, Range 15, West of the 6th Meridian, Peace
River District, Except the Most Westerly 4.267 metres**

The Provincial Agricultural Land Commission (the "Commission") has now concluded its review of your application to subdivide the above mentioned property into a 63 ha parcel and a 61.6 ha parcel. The application was submitted pursuant to section 21(2) of the *Agricultural Land Commission Act*.

The Commission wishes to thank Karen for taking the time to meet with its representatives on March 8, 2006. In reviewing the application, the Commission took into consideration its position that the creation of quarter section sized parcels from sections and half-sections should only be entertained as a method of facilitating the transfer of blocks of land between farms for the encouragement and benefit of farming. The Commission is not in favour of creating large blocks for rural estate/residential use. After visiting the property and reviewing your application the Commission felt that although the majority of the property is not currently being used for agriculture, the property has more agricultural potential as a single unit than as two separate parcels. The Commission noted that quarter sections are not considered to be stand alone farm units in the Peace River Regional District but a standard unit used to modify and augment farm operations. As such, the Commission believed that subdivision would negatively impact the agricultural opportunities available to the subject property in the long-term.

The Commission was further concerned that allowing subdivision would increase requests for subdivision on other lands in the area and it did not want to set a precedent to that degree.

For these reasons, the Commission refused your application as proposed.

The decision noted above is recorded as Resolution #92/2006.

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

per:

Erik Karlsen, Chair

cc: Peace River Regional District: File # 141/2005
SBR/lv/36292d1

The Commission was further concerned that allowing subdivision would increase requests for subdivision on other lands in the area and it did not want to set a precedent to that degree.

IT WAS

MOVED BY: Commissioner Kerr
SECONDED BY: Commissioner Read

THAT the staff report be received and the application to subdivide the 124.6 ha property described as the North ½ of Section 36, Township 84, Range 15, West of the 6th Meridian, Peace River District, Except the Most Westerly 4.267 metres into a 63 ha parcel and a 61.6 ha parcel be refused on the grounds that the property had good agricultural capability and the Commission did not want to set a precedent by allowing subdivision in this area.

This approval is subject to compliance with any other enactment, legislation or decision of any agency having jurisdiction.

CARRIED



Staff Report
Application # W – 36292 – 0
Applicant: Terrin and Karen Hatton

DATE RECEIVED: October 6, 2005

DATE PREPARED: January 17, 2006

TO: Chair and Commissioners – North Panel

FROM: Simone Rivers, Regional Research Officer

PROPOSAL: To subdivide the 124.6 ha property into one 63 ha parcel and one 61.6 ha parcel.

This application is made pursuant to section 21(2) of the *Agricultural Land Commission Act*.

BACKGROUND INFORMATION:

Local Government Planning Staff provided the following background to the application: applicants have owned the subject property since May 2005. They have used the subject property (with the exception of the 3 developed home-sites) for the production of various grain and/or hay crops since purchasing the property. Although the applicants have recently purchased the subject property, they have resided in the area for many years and appear to be committed to continuing farming these parcels for years to come. The applicants currently reside in the home situated at the northeast corner of the NW ¼ section, the other two dwellings are rented to Karen Hatton's brother and her parents respectively.

No new homesites are anticipated with this subdivision. The applicants intend to sell the NE ¼ to the parents. They need a separate title in order to finance the purchase of the property.

Local Government:

Peace River Regional District

Legal Description of Property:

PID: 014-640-376

The North ½ of Section 36, Township 84, Range 15, West of the 6th Meridian, Peace River District, Except the Most Westerly 4.267 metres

Purchase Date:

May 19, 2005

Location of Property:

The property is located in the Goodlow area, east of Fort St. John and is accessible from the east by 217 Road and from the north by 103 (Cecil Lake Road).

Size of Property:

124.6 ha (The entire property is in the ALR)

Present use of the Property:

There are three homesites on the property. The remainder of the subject property is essentially undeveloped and dominated by old growth mixed wood forest.

Surrounding Land Uses:

WEST: Bush (ALR)
SOUTH: Bush (ALR)
EAST: Farmland (ALR)
NORTH: Bush, farmland (ALR)

Agricultural Capability:

Data Source: Agricultural Capability Map # 94A/8
The majority of the property is identified as having Mixed Prime and Secondary ratings.

Official Community Plan and Designation:

North Peace Official Community Plan Bylaw No. 820, (1993) designates the property as "Rural Resource Agricultural"

Zoning Bylaw and Designation:

Regional Zoning Bylaw No. 1000, (1996) designates the parcel as A-2 "Large Agricultural Holdings Zone"
Minimum Lot Size 63 ha.

RELEVANT APPLICATIONS:

Application #36232-0

Applicant: Giesbrecht, Jerald and Margaret
Proposal: To subdivide the 128 property into one parcel of 4 ha with a 124 ha remainder
Decision: *pending*

LOCAL GOVERNMENT RECOMMENDATIONS/COMMENTS:

Peace River Regional District Board: The Board forwarded the application with a resolution to support and authorize the application... on the basis that the proposal is consistent with the objectives, policies and development criteria of Section 2.2 of the North Peace Official Community Plan, specifically Policy 3 (c).

Section 2.2 of the North Peace Official Community Plan, Policy 3 (c):
"The creation of a parcel not less than 30 ha results from the establishment of standard quarter section boundaries based upon the Dominion Township surveys system."

STAFF COMMENTS:

Agricultural Capability: The majority of the parcel is rated 3X with a portion at 4X.


Agricultural Suitability: The parcel is located in an area of large holdings.

Planning Considerations: The subject parcel is not in the area considered under the Fort St. John and Area Comprehensive Development Plan.

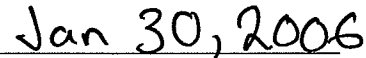
Impact on Agriculture: Until January 2003, in the Peace River Regional District, General Order 8314/78 allowed for "automatic" subdivision of properties into quarter sections. In January 2003 the Commission rescinded General Order 8314/78 (the "Order"). When the Order was rescinded, the Commission believed that quarter sections were not considered to be stand alone farm units in the Peace River Regional District but a standard unit used to modify larger farm operations. The Commission believed rather than being used as a tool for creating transferable blocks of land for the encouragement and benefit of farming, the Order was being used more so to create subdivisions for rural/estate residential purposes.

Since the Order was rescinded, the Commission has generally refused applications in the Peace River Regional District in which applicants have asked for sections or half sections to be split into quarter sections when a corresponding benefit to agriculture such as consolidation with an adjacent property has not been offered.

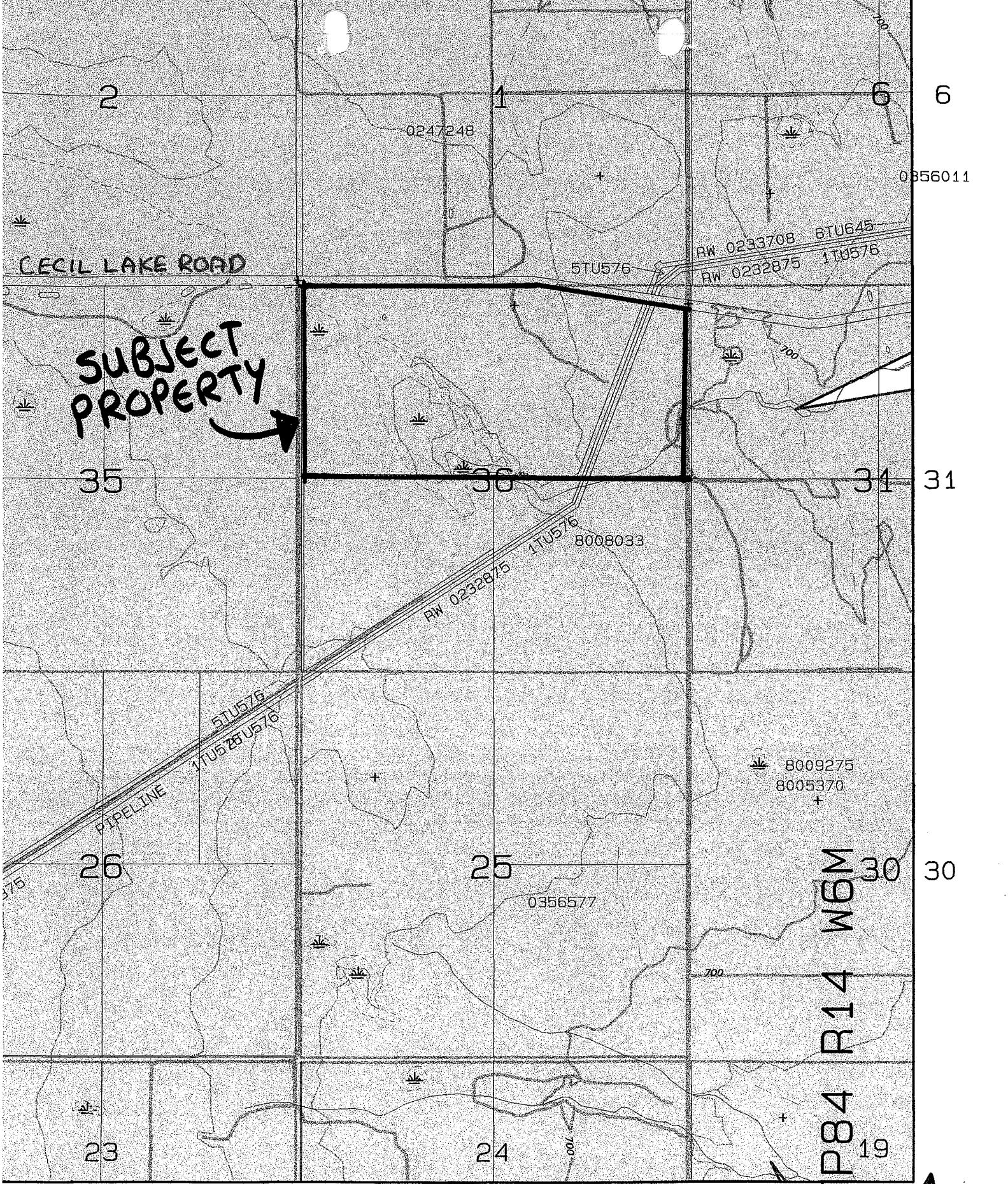
END OF REPORT



Signature



Date



SUBJECT PROPERTY

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6

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RW 023370B BTU645

RW 0232875 1TU576

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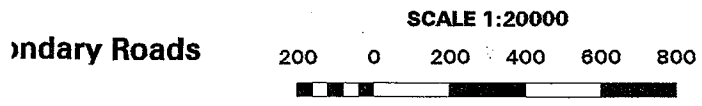
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REGIONAL DISTRICT

Peace River

B.C.C



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